

41272



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of:

**GILBERT V. LEVIN**

Serial No.: **09/811,654**

Filed: **March 20, 2001**

For: **USE OF TAGATOSE IN PROMOTING  
CARDIOVASCULAR HEALTH**

Group Art Unit: **1623**

Examiner: **H. Owens, Jr.**

**NOTICE OF APPEAL**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated March 11, 2003 of the Primary Examiner finally rejecting claims 1-7.

The items checked below are appropriate:

- ☒ Appeal fee (37 C.F.R. 1.17(e))
- ☐ other than small entity - \$320.00
- ☒ small entity - \$160.00
- ☒ Applicant claims small entity status. See 37 CFR 1.27.
- ☐ Applicant(s) petition(s) for an extension of \_\_\_\_\_ month(s) to respond and submits herewith the fee of \$\_\_\_\_\_.
- ☒ A check in the amount of **\$160.00** is attached.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 18-2220. A duplicate copy of this sheet is attached.
- ☒ Any additional excess claim fees under 37 C.F.R. § 1.16.
- ☒ Any additional patent application processing fees under 37 C.F.R. § 1.17.

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